

1 PHILLIP A. TALBERT  
2 United States Attorney  
3 MATTHEW THUESEN  
4 ROBIN TUBESING  
5 Assistant United States Attorneys  
6 2500 Tulare Street, Suite 4401  
7 Fresno, CA 93721  
8 Telephone: (559) 497-4000  
9 Facsimile: (559) 497-4099

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11 Attorneys for Plaintiff  
12 United States of America

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15 IN THE UNITED STATES DISTRICT COURT  
16  
17 EASTERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA,  
19  
20 v.  
21 PLAINTIFF,  
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23 PHILIP JAMES,  
24  
25 DEFENDANT.

Case No.: 2:22-CR-00051-KJM

**MOTION FOR THE DEPOSIT OF  
FUND INTO THE COURT'S DEPOSIT  
FUND; AND ORDER THEREON**

[No Hearing Requested]

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17 The United States hereby moves for an order authorizing deposit(s) into the court's deposit fund  
18 pending the outcome of this criminal prosecution. This Motion is based on the following grounds:

19 1. The defendant signed a plea agreement that was entered on April 11, 2022 (the "Plea  
20 Agreement"). Dkt. No. 7. In accordance with the Plea Agreement, the defendant plead guilty to  
21 interstate transportation of stolen property in violation of 18 U.S.C. § 2314. Dkt. No. 8.

22 2. The sentencing hearing is currently scheduled for July 25, 2022. Id.

23 3. In the Plea Agreement, the defendant agrees to pay restitution in full in a combined  
24 amount of \$2,748,697.00, a special assessment totaling \$100.00, and a fine if one is imposed by the  
25 Court ("Criminal Monetary Penalties"). Dkt. No. 7.

26 4. The defendant has expressed his desire to pay some or all of the Criminal Monetary  
27 Penalties prior to sentencing.

28 5. The United States requests an order that provides that, on or before the date of the

1 defendant's sentencing, the defendant, or any individual or entity on the defendant's behalf, be permitted  
2 to make payments in partial or full satisfaction of the defendant's Criminal Monetary Penalties  
3 ("Deposit") to the Clerk of the Court as specified in the accompanying order. The Deposit shall remain  
4 in the Court's deposit fund pending the defendant's sentencing in this case, or upon further order of the  
5 Court. The Deposit shall, upon sentencing, be applied towards the criminal monetary penalties in the  
6 order stated in the Schedule of Payments section of the Judgment.

7 Respectfully submitted,  
8 PHILLIP A. TALBERT  
United States Attorney

9 Dated: June 9, 2022

10 By:

  
11 ROBIN TUBESING  
12 Assistant United States Attorney

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## ORDER

The Court, having reviewed the court files and the United States' Motion for the Deposit of Funds Into the Court's Deposit Fund, and good cause appearing therefrom, hereby GRANTS the Motion. Accordingly, IT IS ORDERED that:

1. On or before the date of the defendant's sentencing, the defendant, or any other individual or entity on the defendant's behalf, may make payments in partial or full satisfaction of the defendant's criminal monetary penalties ("Deposit") to the Clerk of Court.

2. The payment instrument(s) shall be made payable to the "Clerk of Court" and be delivered to:

OFFICE OF THE CLERK  
501 I Street, Suite 4-200  
Sacramento, CA 95814

3. The payment instrument(s) shall include the case number (Case No. 2:22-CR-00051-KJM).

4. Upon receipt, the Clerk shall promptly DEPOSIT the payment(s) into the Court's deposit fund.

5. Once the imposed judgment is entered and docketed, the Deposit shall be transferred to the defendant's criminal case.

6. The Deposit shall be applied towards the defendant's criminal monetary penalties in the order stated in the Schedule of Payments section of the Judgment.

IT IS SO ORDERED.

Dated: November 10, 2022.

W. Andrew Miller  
CHIEF UNITED STATES DISTRICT JUDGE